

Town Board Minutes

Meeting No. 16

Regular Meeting

June 19, 2000

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Meeting No. 16

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 19th day of June 2000 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Reese, Richard, Jr., 2659 Wehrle Drive, spoke to the Town Board on the following matter:

- Comments re: the bid received from Omer Construction for box culvert.

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- Concerns re: traffic safety issues on Walden Avenue as they relate to current & future development.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Questions re: interview process related to Police Dispatchers.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

- Questions re: Walden Avenue in the vicinity of Pavement Road and the possible rezoning of this land.
- Comments re: LIDA exemptions.
- Questions re: Tops Fuel station plans.
- Questions re: developments on Genesee Street.

Fricke, Gary, 46 Signal Drive, spoke to the Town Board on the following matter:

- Flooding in his yard on corner of Erie Street and Signal Drive.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- Questions re: the legal expenses incurred in the Town's defense of the Tops assessment challenge.

Mahon, Edward, 30 Lombardy Street, spoke to the Town Board on the following matter:

- Questions re: Dog Control Officer : does DCO patrol Como Park on a regular basis for violations.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster.

The affidavit of publication of this Public Hearing is on file and a copy of the Public Notice has been posted.

PROPOSERS	ADDRESS
Rebecca Anderson	493 Lake Avenue
OPPOSERS	COMMENTS & QUESTIONS
None	None

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER PELLETIER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:36 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board and
the Planning Board held on June 5, 2000 and the Regular Meeting of the Town Board held on
June 5, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, the Town of Lancaster has heretofore established a joint Social Work Counselor Program with the Lancaster Central School District and desires to continue this program, and,

WHEREAS, the Town Board has received assurance of participation in State funding by the New York State Office of Children and Family Services and the Lancaster Central School District,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to continue a joint program for a Social Work Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster and to reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 2000 and ending June 30, 2001, and

2. That funding for the program, at a total annual cost of approximately \$45,785.00 will be provided at 15% of direct salary from the New York State Office of Children and Family Services, 43% of direct salary and contractual expenses, plus one-half contractual expenses and fringe benefit costs, from the Town of Lancaster, to be drawn from the General Fund Account "Social Work Counselor Program", and 42% of direct salary plus one-half contractual expenses and fringe benefit costs, from the Lancaster Central School District, and

3. That the Supervisor be and hereby is authorized and directed to sign an Agreement to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the New York State Office of Children and Family Services and the Lancaster Central School District.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: Rstate.yth (P6)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the General Crew Chief, by letter dated June 14, 2000, has requested the appointment of one seasonal employee to the position of Laborer in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2000, and

WHEREAS, a vacancy exists due to a previously appointed employee declining this position.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of seasonal employee for the spring and summer season of 2000 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
David Davidzik (rehire) 1909 Como Park Blvd Lancaster, New York	Laborer	\$5.75 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: Rpers.seasonal (P8)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated June 13, 2000, has recommended appointments for the Youth Bureau's 2000 Summer Programs.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions in the Youth Bureau's 2000 Summer Programs of the Town of Lancaster effective June 20, 2000 at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Tracy Amey (rehire) 120 Court Street Lancaster, New York	Tutor	\$10.00 hr.
Rebecca DiLauro (new) 23 Deerpath Drive Lancaster, New York	Tutor	\$10.00 hr.
Jeanine Linkowski (new) 335 Brentwood Drive North Tonawanda, New York	Art Instructor	\$10.00 hr.
Julia Podsiadlo (new) 50 East Cavalier Drive Cheektowaga, New York	Tutor	\$10.00 hr.
Jennifer Brown (new) 1525 Amherst Manor Drive #512 Williamsville, New York	Tutor	\$10.00 hr.
Nicole Pidanick (new) 39 Meadowlawn Drive Cheektowaga, New York	Tutor	\$10.00 hr.
Dawn Greiner (new) 799 N. French Road Amherst, New York	Tutor	\$10.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: Rpers.seasonal (P2-3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, a vacancy exists in the position of Recreation Attendant at the Senior Center of the Town of Lancaster due to the resignation of Joseph Brunet, and

WHEREAS, the General Crew Chief of the Department of Buildings, Grounds, Parks, Forestry, Senior Citizens and Recreation has recommended the appointment of Deborah Loretto to the position of Recreation Attendant, part time, at the Senior Center.

NOW, THEREFORE, BE IT

RESOLVED, that Deborah Loretto, 65 Gale Drive, , Lancaster, New York 14086, be and is hereby appointed Recreation Attendant, part time, at the Senior Center, effective immediately, with no health benefits, insurance, sick days, vacation or other benefits and at the salary of \$8 per hour.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

file: rpers/rapers (P10)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Planning Board of the Town of Lancaster has
unanimously approved and recommended the retention of Mary Nowak, 423 Erie Street,
Lancaster, New York 14086, to provide secretarial/clerical services to the Planning Board as an
independent contractor, and

WHEREAS, the Town Board deems it in the public interest to fill this
position which provides a necessary service to the Planning Board, the Town Board, and this
community.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
acknowledges the selection of Mary Nowak as an independent contractor to provide secretarial
services to the Planning Board, and authorizes the Town Attorney to initiate a contract between
the Town of Lancaster and Mary Nowak, to be executed by the Supervisor, and

BE IT FURTHER

RESOLVED, that Ms. Nowak's contract shall be retro-active to June 7,
2000, and that Ms. Nowak will be compensated at a rate of \$67.50 per Planning Board meeting,
with no benefits.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

file: Rpers/vpers independent

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, SALVATORE'S ITALIAN GARDENS, 6461 Transit Road,
Lancaster, New York has submitted a Site Plan prepared by Daryl K. Martin, Architect and dated
May 4, 2000 for the construction of a 1536.6 s.f. classic car showroom on its property located on
the east side of Transit Road and locally known as 6461 Transit Road in the Town of Lancaster,
and

WHEREAS, at its meeting May 17, 2000 the Planning Board reviewed the
plan, and recommended approval of this project, and

WHEREAS, this project was reviewed for SEQR purposes and it has been
determined to be a Type 2 Action and as such no further SEQR review is necessary;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves
the Site Plan., submitted by **Salvatore's Italian Gardens**, and prepared by Daryl Martin Architect
and dated May 4, 2000, for the construction of a 1536.6 sq. ft Classic Car Showroom on premises
at 6451 Transit Road in the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	ABSTAINED N.B.
SUPERVISOR GIZA	VOTED YES

N.B. : For personal reasons

June 5, 2000

File: rasite1.600

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated June 13, 2000, has requested permission for Captain Leon Trzewieczynski to attend a Federal Bureau of Investigation National Academy training session in Rochester, New York from July 16, 2000 through July 19, 2000.

NOW, THEREFORE, BE IT

RESOLVED, that Captain Leon Trzewieczynski of the Police Department of the Town of Lancaster be and is hereby authorized to attend a Federal Bureau of Investigation National Academy training session in Rochester, New York from July 16, 2000 through July 19, 2000, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$550.00, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED NO
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: RSEMMTGS (P12)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, RIF Development, has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement within Village on the Park Subdivision, Phase III, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

WHEREAS, the Town Attorney by letter to the Town Clerk dated June 15, 2000 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within Village on the Park Subdivision, Phase III, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 491 - Street Lights

and,

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: RPIP (P15)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Town Safety Coordinator George MacPeck has coordinated with several department heads a transitional duty (light duty) policy which was submitted to the Town Board in draft statement form, and

WHEREAS, the Town Board has reviewed the draft proposal together with an amendment thereto which would create a transitional duty program for the purpose of integrating town employees returning from illness or disability into a light duty assignment as permitted by their treating physicians prior to a full return to work, which will assist the Town in reducing its workers' compensation disability insurance premiums while at the same time providing for productivity in various departments of town government, and

WHEREAS, the Town Board after due review has concluded that such a program will benefit both the employer Town and town employees;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts a transitional duty program to improve operational efficiency in town government by assisting employees returning from workers' compensation and temporary disability to light duty in various town departments, said program as adopted to be in form attached hereto and as may be amended from time to time by the Town Board as deemed appropriate..

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: rlitedty.600

**TOWN OF LANCASTER
TRANSITIONAL DUTY PROGRAM**

POLICY STATEMENT

In an effort to create an environment that will facilitate employee recovery from injury or illness, and to improve operational efficiency of the Town of Lancaster, a program of Transitional Duty is hereby established.

This program shall cover all Town employees, with the exception of members of the Lancaster Town Police Department, who sustain (1) a work related disabling injury or illness or (2) a disabling injury or illness from non-job related activity, subject to the following guidelines:

- (a) Personnel returning from work related illness or injuries shall be given priority in assignment to transitional duty over employees returning from non-job related illness or injury;
- (b) The disability must be a temporary condition, and the employee must have Transitional Duty capacity as determined by his/her treating physician. Such employee may be given a Transitional Duty assignment(s) consistent with his/her physical abilities and any limitations imposed by the treating physician. Each case will be independently evaluated by the Town of Lancaster Safety Committee.
- (c) Transitional Duty assignments will be for a maximum of three (3) weeks. An employee wishing to enter the program will not be eligible to enter this program until written confirmation is received from the employee's treating physician stating that the employee is expected to return to his/her full duty assignments as stated within Erie County PO-17 job description within three (3) weeks. An employee may return to his/her regular full time position prior to the end of this three (3) week period upon written confirmation from the treating physician being received by the department head stating that the employee is able to return to work with no limitations.
- (d) Any extension of the three (3) week period shall be subject to the review by and approval of the Safety Committee and Department Heads involved.
- (e) It is the goal of the Town, with the cooperation of all departments, to locate and assign Transitional Duty, when feasible, according to the following guidelines:
 - 1. The approved physician shall be advised that a Transitional Duty Program is available and if the physician deems it appropriate the employee may be released to a Transitional Duty work status. The physician must describe the employee's capacities in sufficient detail to enable the municipality to determine a suitable work or task assignment.

2. The employee's regular department head shall attempt to locate or design a work assignment within the capacities described by the physician.
3. If the usual department head is unable to assign suitable work, he shall canvas other department heads to determine if a suitable work assignment exists for temporary reassignment. It is recommended that in a case involving either a Highway Department or the Parks, Recreation & Forestry Department employee, given the general physical requirements of the job duties, as well as the diversity of each department, that those department heads work closely in identifying work that could be performed by an injured employee as part of the Transitional Duty Program.
4. The department to which the employee is regularly assigned will be charged with the personnel costs involved.
5. Upon release to regular work without restrictions, the employee shall be returned to his/her permanent department and his/her regular position.

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file: liteduty.600

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, a Public Hearing was held on the 5th day of June, 2000, on the proposed rezone of a certain parcel of land located north side of Broadway and west of Schwartz Road in the Town of Lancaster, New York, (Jurek), from an RCO-Residential Commercial Office District to an NB-Neighborhood Business District,

WHEREAS, a Notice of said Hearing has been duly published and posted and full opportunity to be heard was given to all parties in interest, and

WHEREAS, a SEQR review of this project was held on June 5 and a Negative Declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an from RCO-Residential Commercial Office District to an NB-Neighborhood Business District:

ALL OF THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 3 Section 4, Township 11, Range 6, of the Holland Land Company's Survey, and more particularly bounded and described as follows:

BEGINNING at a point in the center line of Broadway, ninety-nine (99) feet westerly from the intersection of the center line of Broadway and the easterly line of said lot number three (3);

THENCE northerly and parallel with the east line of lot number three (3) three hundred (300) feet to a point;

THENCE westerly and parallel with the center line of Broadway three hundred thirty-five (335) feet to a point;

THENCE southerly and parallel with the east line of lot number three (3) eighty-seven (87) feet to a point;

THENCE easterly and parallel with the center line of Broadway thirty-five (35) feet to a point;

THENCE southerly and along a line parallel to the east line of lot number three (3) two hundred thirteen (213) feet to the center line of Broadway;

THENCE easterly along the center line of Broadway to the point or place of beginning.

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 19, 2000;

3. That a Certified copy thereof be published in the Lancaster Bee on or before June 22, 2000;

4. Affidavits of Publication shall be filed with the Town Clerk; and

5. That a Certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: rrezjrka.600

LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE - TOWN OF LANCASTER
JUREK - 6144-6152 BROADWAY

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property described is changed from RCO-Residential Commercial Office District to an NB-Neighborhood Business District:

ALL OF THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 3 Section 4, Township 11, Range 6, of the Holland Land Company's Survey, and more particularly bounded and described as follows:

BEGINNING at a point in the center line of Broadway, ninety-nine (99) feet westerly from the intersection of the center line of Broadway and the easterly line of said lot number three (3);

THENCE northerly and parallel with the east line of lot number three (3) three hundred (300) feet to a point;

THENCE westerly and parallel with the center line of Broadway three hundred thirty-five (335) feet to a point;

THENCE southerly and parallel with the east line of lot number three (3) eighty-seven (87) feet to a point;

THENCE easterly and parallel with the center line of Broadway thirty-five (35) feet to a point;

THENCE southerly and along a line parallel to the east line of lot number three (3) two hundred thirteen (213) feet to the center line of Broadway;

THENCE easterly along the center line of Broadway to the point or place of beginning.

June 19, 2000

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Legal Notice with the original filed in my office at Lancaster, New York on the 19th day of June, 2000, and that the same is a true and corrected copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 19th day of June, 2000.

Town Clerk

(S E A L)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, a Public Hearing was held on the 19th day of June, 2000 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 19, 2000;
3. That a Certified Copy thereof be published in the Lancaster Bee on June 22, 2000;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: rvtorda2.600

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X - Parking, Standing and Stopping.

§46-12. Parking prohibited in designated locations is hereby amended by adding thereto the following:

.....

(61) On the east side of Lake Avenue from its intersection with William Street to a point 300 feet south of that intersection.

(62) On the west side of Lake Avenue from its intersection with William Street to a point 300 feet south of that Intersection.

§46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

.....

(61) On the east side of Lake Avenue from its intersection with William Street to a point 300 feet south of that intersection.

(62) On the west side of Lake Avenue from its intersection with William Street to a point 300 feet south of that intersection.

June 19, 2000

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 19th day of June, 2000, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 19th day of June, 2000.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 2539 to Claim No. 2835 Inclusive

Total amount hereby authorized to be paid: \$795,648.33

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby
approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived
for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure
6954		Hauptman, Glenn	5 Overton Ct	Er. Shed
6955		Fagerburg, Robert	60 Pheasant Run Ln	Er. Fence
6956		Paszek, R C	36 Michael Anthony Ln	Res. Addition
6957		Kowalszyk, Gerald	18 Regency Ct	Er. Deck
6958		DeCaire, Stephen	2 Broadmoor Ct	Er. Pool
6959		Konst, Daniel	44 Sagebrush Ln	Er. Pool
6960		Russo, Matthew	377 Central Ave	Er. Pool
6961		Fletcher, Alan	20 Signal Dr	Er. Pool
6962		Larotonda, Dave	53 Pleasantview Dr	Er. Pool
6963		Ballard, Linda	244 Enchanted Forest N	Er. Deck
6964		Palicki, Kenneth	86 Southpoint Dr	Er. Deck
6965		Sainz, Gilbert	247 Enchanted Forest N	Er. Pool
6966		Bosse, A	187 Belmont St	Er. Shed
6967		Boneberg, Gary	10 Candlestick Ct	Er. Deck
6968		Bebach, Kenneth	21 Michaels Walk	Er. Pool
6969		Santasiere, Daniel	31 Michaels Walk	Er. Pool
6970		Keicher, Bob	27 Shadyside Ln	Er. Shed
6971		Fish, Glen	14 Village View	Er. Deck
6972		Presti, Pino	4 Primrose Ln	Er. Shed
6973		Hillyard, Timothy	207 Nathans Trail	Er. Shed
6974		Rabent, Thomas	14 Windsor Ridge	Er. Pool
6975		Phelinger, Scott	426 Westwood Rd	Er. Pool
6976		Spyche, Peter	26 Quail Run Ln	Er. Deck
6977		Glenhollow Assoc	52 Michael's Walk	Er. Sin. Dwlg
6978		Wynia, Russell	25 Impala Pky	Er. Fence
6979		Williams, Mark	73 Michael's Walk	Er. Fence
6980		McDonald, Jeff	58 Rehm Rd	Er. Pool
6981		Baia, Billie	1220 Townline Rd	Er. Pool

6982	Baia, Billie	1220 Townline Rd	Er. Deck
6983	Blenski, Paul	32 Michael Anthony Ln	Er. Pool
6984	Blenski, Paul	32 Michael Anthony Ln	Er. Deck
6985	Kleinfelder, Raymond	41 Gale Dr	Er. Shed
6986	Pleasantview Assoc	34 Stony Brook Dr	Er. Sin. Dwlg
6987	Marrano/Marc Equity	113 Summerfield Dr	Er. Sin. Dwlg
6988	Marrano/Marc Equity	16 Farmview Ct	Er. Sin. Dwlg
6989	Newman, Kenneth	508 Ransom Rd	Dem. Garage
6990	Newman, Kenneth	508 Ransom Rd	Er. Garage
6991	Delano, William	25 Southpoint Dr	Er. Pool
6992	Reformat, Thomas	67 Michael Anthony Ln	Res. Ateration
6993	Neidrauer & Byrne	4 Grace Way	Er. Deck
6994	LaForte, Harold	52 Stony Brook Dr	Er. Deck
6995	La Forte, Harold	52 Stony Brook Dr	Er. Shed
6996	Addeo, Frank	5589 William St	Er. Sin. Dwlg
6997	Reilly, Dennis	49 Remwood Ave	Er. Fence
6998	Rabent, Thomas	14 Windsor Ridge Dr	Er. Deck
6999	Folster, Scott	10 Traceway	Er. Fence
7000	Axford, Richard	55 Stream View Ln	Er. Shed
7001	Design Works LLC	6337 Transit Rd	Er. Temp. sign
7002	Norris, David	315 Enchanted Forest N	Er. Fence
7003	D'Alfonso, Mario	14 Fieldstone Ln	Er. Shed
7004	Millasso, Joseph	652 Aurora St	Res. Alteration
7005	Lancaster-Rehm Assoc	6375 Transit Rd	Er. Temp. Sign
7006	Mrozielski, Bernard	43 Botimer St	Res. Alteration
7007	RJF Development JV	31 Parkedge Dr	Er. Sin. Dwlg
7008	Blanchard, James	31 Stream View Ln	Er. Shed
7009	Marrano/Marc Equity	11 Farmview Ct	Er. Sin. Dwlg
7010	Marrano/Marc Equity	54 Trentwood Trl	Er. Sin. Dwlg
7011	Marrano/Marc Equity"	116 Newberry Ln	Er. Sin. Dwlg
7012	Pleasantview Assoc	22 Stone Hedge Dr	Er. Sin. Dwlg
7013	Pleasantview Assoc	73 Stony Brook Dr	Er. Sin. Dwlg
7014	Heist, Paul	5 Schiffler Ct	Er. Deck
7015	Salzmann, Carl	71 Heritage Dr	Er. Deck
7016	Wascak, Rita	26 Ronald Dr	Er. Fence
7017	Roush, Mark	5240 William St	Er. Fence
7018	Schmelzer, Charles	88 Old Post Rd	Er. Pool
7019	Schmelzer, Charles	88 Old Post Rd	Er. Fence
7020	Charvate, Robert	4 Signal Dr	Er. Deck
7021	Balduzzi, Constance	6 Grafton Ct	Res. Addition
7022	Harder, Donald	14 Hunters Dr	Er. Pool
7023	Roth, Claude	25 Sagebrush Ln	Er. Shed
7024	Deakin, Timothy	12 Windsor Ridge Dr	Er. Deck
7025	Poss, Kevin	1 Bradley Dr	Er. Shed

7026	Kowalenko, Thaddeus	288 Enchanted Forest N	Er. Deck
7027	Cottle, Robert	1080 Townline Rd	Er. Garage
7028	Caldwell, Richard	4 Quail Run Ln	Er. Deck
7029	Pieniazek, Nancy	8 Willow Ridge Ct	Er. Sin. Dwlg
7030	Woroniecki, Wayne	304 Broezel Ave	Er. Garage
7031	Ruiz, Jose	1274 Penora St	Er. Fence

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19 2000

File:Rbldg2

Council Member Zarbo requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ZARBO , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for furnishing to the Town of Lancaster one (1) precast concrete box culvert for the replacement of a box culvert on Court Street south of Erie Street in the Village of Lancaster,
and

WHEREAS, bids were received, opened and reviewed on June 19, 2000, and

WHEREAS, by letter dated June 19, 2000, the Town Engineer has recommended award of the Contract to Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14225, in the amount of \$136,700.00, said bid being the lowest responsible bid for said project;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the Contract for furnishing to the Town of Lancaster one (1) precast concrete box culvert for the replacement of a box culvert on Court Street in the Village of Lancaster, to Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14225, in the amount of \$136,700.00 being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000
File: rabdclvt.600

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER ZARBO, TO WIT:

WHEREAS, the Town of Lancaster submitted a grant application to New York State Local Law Enforcement Program in 1997 for funding for improvements in the Mobile Data Terminals in the Town of Lancaster Police Department, and

WHEREAS, there is available to the Town a grant in the sum of \$25,000.00 with a 10% match by the Town (\$2,500);

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a contract for the provision of improvements to the beforementioned systems should the County have complete its part of the grant requirements.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2000

File: rgmtpd.600

COMMUNICATIONS & REPORTS:

367. Town Clerk to Town Board -
Submittal of third settlement payment for the 2000 County/Town Tax Warrant.
DISPOSITION = Received and Filed
368. Police Chief to Planning Board Chairman -
Recommend approval of site plan for Tree of Life Church/6090 Broadway.
DISPOSITION = Planning Committee
369. Police Chief to Planning Board Chairman -
Review of preliminary plat plan for Buttercup Park Subdivision. DISPOSITION =
Planning Committee
370. NYS Dept. of Transportation to Council Member Montour -
Results of investigation of traffic study Route 78 (Transit Rd) at Swiss Chalet/M&T
driveway. DISPOSITION = Received and Filed
371. Town Clerk to Supervisor -
Submittal of Town Clerk's Monthly Report. DISPOSITION = Received and Filed
372. Building Inspector to Council Member Pelletterie -
Transmittal of information re: street lights on Harewood Run & Thomas Drive.
DISPOSITION = Received and Filed
373. County Executive to Supervisor -
Invitation to attend new conference announcing "Who Does What Commission".
DISPOSITION = Supervisor
374. Association of Erie County Governments to Supervisor -
Meeting notice June 22, 2000. DISPOSITION = Received and Filed
375. General Counsel for LIDA to Supervisor -
Request consideration of rezone for property located on the north side of Walden
Avenue. DISPOSITION = Planning Committee, Town Board
376. NYS Occupational Safety and Health Hazard Abatement Board To Highway Superintendent
-
Announcement of funding for proposed safety and health training program 00-109.
DISPOSITION = Received and Filed
377. Chairman, NorthEast-SouthTowns Solid Waste Management Board to County Executive -
Invitation to attend N.E.S.T. meeting to discuss common solid waste problems and
issues. DISPOSITION = Received and Filed
378. Town of Amherst Planning Department to Supervisor -
Request documents to assist in formulating a new comprehensive plan. DISPOSITION
= Building Inspector, Town Attorney
379. NYS Dept. of Environmental Conservation to New York State Residents -
Announcement of hearing re: *Draft New York State Solid Waste Management Plan*.
DISPOSITION = Received and Filed
380. Town Engineer to Town Attorney -
Recommend acceptance of street lighting P.I.P. for Village on the Park Subdivision
Phase III. DISPOSITION = Resolution 6/19/2000
381. Highway Superintendent to Planning Board Chairman -
Transmittal of no concerns re: site plan application of Tree of Life Church.
DISPOSITION = Planning Committee

382. Highway Superintendent to Planning Board Chairman -
Transmittal of one concern re: Preliminary plat plan for Buttercup Subdivision.
DISPOSITION = Planning Committee
383. Erie County Dept. of Health to Town Clerk -
Transmittal of legal notice re: Public Hearing to receive comments re: amendments to
the Erie County Sanitary Code. DISPOSITION = Received and Filed
384. Council Member Zarbo to General Crew Chief -
Request investigation re: using old lighting removed from Lancaster High School
grounds in Westwood Park & Walden Ponds Ball diamonds. DISPOSITION = Received
and Filed
385. General Crew Chief to Supervisor -
Request authorization to enter into contract for purchase of copy machines.
DISPOSITION = Town Attorney
386. General Crew Chief to Supervisor -
Request appointment of a new seasonal employee due to a previously appointed
employee declining. DISPOSITION = Resolution 6/19/2000
387. Executive Director, Youth Bureau to Supervisor -
Request appointments for various positions in the Youth Bureau's summer programs.
DISPOSITION = Resolution 6/19/2000
388. General Crew Chief to Supervisor -
Request appointment of Deborah Loretto to position of Recreation Attendant, Part Time,
in the Senior Center. DISPOSITION = Resolution 6/19/2000
389. Council Member Zarbo to Town Attorney -
Request correspondence re: letter dated June 9, 2000 and confidential communication
re: impact fees and PIP fees. DISPOSITION = Town Attorney
390. Council Member Zarbo to Town Board -
Express objections to Fox Trace Subdivision. DISPOSITION = Planning Committee
391. NYS Department of Environmental Conservation to Supervisor -
Notification of receiving grant of \$7,500 for Town of Lancaster Spring 2001 Tree
Planting Program. DISPOSITION = Received and Filed
392. Bernard Kolber to Supervisor -
Transmittal of noise complaint re: Lancaster Speedway. DISPOSITION = Building
Inspector
393. Anne Georger-Harris to Town Board -
Transmittal of noise complaint re: Lancaster Speedway. DISPOSITION = Building
Inspector
394. Mr. & Mrs. Frederic Oates to Supervisor -
Transmittal of noise complaint re: Lancaster Speedway. DISPOSITION = Building
Inspector
395. Jennifer Chomen to Town Board -
Transmittal of concerns re: left turns onto Stone Hedge from Walden Avenue.
DISPOSITION = Safety Committee
396. Council Member Zarbo to Planning Board Chairman -
Request response to concerns re: Site Plan application for Tops Refueling Station.
DISPOSITION = Planning Committee
397. Grantmakers Advantage, Inc to Town Board -
Request advisement re: grant opportunities for the Town of Lancaster. DISPOSITION
= Received and Filed

398. General Crew Chief to Council Member Zarbo -
Reply to fax dated June 14, 2000 re: lighting at Westwood Park and Walden Pond Park ball diamonds. DISPOSITION = Received and Filed
399. Council Member Zarbo to Town Attorney -
Transmittal of suggested changes re: Transitional Duty Policy. DISPOSITION = Resolution 6/19/2000
400. Planning Board Chairman to Town Board -
Request confirmation of appointment of Mary Nowak as secretary to Planning Board. DISPOSITION = Resolution 6/19/2000
401. Planning Board to Planning Board Members, Town Board, Town Engineer, Deputy Town Attorney and Building Inspector -
Transmittal of minutes from meeting held June 7, 2000. DISPOSITION = Received and Filed
402. Supervisor to Nancy Gates -
Reply to letter dated May 31, 2000 re: streets lights on Sussex and Windcroft Streets. DISPOSITION = Received and Filed
403. Town Clerk to Town Board -
Transmittal of Special Use Permit 70 Gunnville Road. DISPOSITION = Planning Committee
404. Association of Erie County Governments to Town Board -
Transmittal of notice of meeting to be held June 22, 2000. DISPOSITION = Supervisor
405. Erie County Dept. Of Environment and Planning to Erie County Community Development Consortium -
Notification of reassignment of projects due to resignation. DISPOSITION = Supervisor
406. Twin District Fire Company to Town Clerk -
Request deletion of members from roster of fire company. DISPOSITION = Received and Filed
407. Town Attorney to Town Clerk -
Transmittal of maintenance Bond and Bill of Sale with approval of street light PIP for Village on the Park Subdivision. DISPOSITION = Resolution 6/19/2000
408. General Crew Chief to Planning Board and Council Members Stempniak & Pelletterie -
Request additional landscaping for site plan application of Tops Fueling Station. DISPOSITION = Planning Committee

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER MONTOUR AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:26 P.M.**

Signed 
Johanna M. Coleman, Town Clerk